

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Brian Green,

Plaintiff,

v.

Wells Fargo Bank, N.A.; Brock & Scott, PLLC,

Defendants.

CASE NO. 3:19-CV-00075-KDB

**DEFENDANTS WELLS FARGO BANK, N.A., BROCK & SCOTT, PLLC
and K. SAANVAL AMIN'S MOTION TO STRIKE AND/OR
MOTION TO DISMISS SECOND AMENDED COMPLAINT**

NOW COME Defendants Wells Fargo Bank, N.A., Brock & Scott, PLLC and K. Saanval Amin ("Defendants"), by and through their undersigned counsel, and: (1) move this Court for an Order to strike Plaintiff Brian Green's Second Amended Complaint filed by on March 2, 2020, pursuant to Rule 12(f) of the Federal Rules of Civil Procedure; and/or (2) move this Court for an Order to dismiss with prejudice Plaintiff Brian Green's Second Amended Complaint filed by on March 2, 2020, pursuant to Rule 12(b)(1) & (6) of the Federal Rules of Civil Procedure.

WHEREFORE, for the foregoing reasons and the reasons sets forth in Defendants' Memorandum of Law filed contemporaneously herewith, which is incorporated herein by reference, Defendants respectfully pray that the Court strike and/or dismiss with prejudice the Second Amended Complaint, and for such further relief as this Court deems just and proper.

Respectfully submitted this 25th day of March, 2020.

/s/ Alan M. Presel

Alan M. Presel, NC Bar #24470

BROCK & SCOTT, PLLC

8757 Red Oak Blvd., Suite 150

Charlotte, NC 28217

Telephone: 704-643-0290 ext. 1009

Facsimile: 704-553-7225

Alan.Presel@brockandscott.com

Attorneys for Defendants Wells Fargo Bank,

N.A., Brock & Scott, PLLC & K. Saanval Amin

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Brian Green,

Plaintiff,

v.

Wells Fargo Bank, N.A.; Brock & Scott, PLLC,

Defendants.

CASE NO. 3:19-CV-00075-KDB

CERTIFICATE OF SERVICE

This is to certify that on this date the undersigned has electronically filed the foregoing **Motion to Strike and/or Motion to Dismiss Second Amended Complaint** with the Clerk of Court using the CM/ECF system. This is to further certify that on this date the undersigned has served, or caused to be served, the foregoing upon *pro se* Plaintiff by placing a copy of the same in a postage paid envelope addressed to the person hereafter named, return address clearly indicated, to the place and address stated below, which is the last known address, and by depositing said envelope in the U.S. Mail:

Brian Green
113 Indian Trail Road North, Suite 280
Indian Trail, NC 28079
Pro Se Plaintiff

Respectfully submitted this 25th day of March, 2020.

/s/ Alan M. Presel

Alan M. Presel, NC Bar #24470

BROCK & SCOTT, PLLC

8757 Red Oak Blvd., Suite 150

Charlotte, NC 28217

Telephone: 704-643-0290 ext. 1009

Facsimile: 704-553-7225

Alan.Presel@brockandscott.com

*Attorneys for Defendants Wells Fargo Bank,
N.A., Brock & Scott, PLLC & K. Saanval Amin*